

2921

Sector #  
35398

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Matthew P. Scott, et al.

Serial No: 08/916,140

Filing Date: 21 August 1997



Atty. Docket No. SUV-003.04

For: *Patched Genes and Uses Related Thereto*

ATTN: Box Missing Part  
Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Certificate of First Class Mailing	
I hereby certify that this correspondence is being deposited with the United States Postal Services as express mail in an envelope addressed to: Assistant Commissioner for Patents; Box Missing Part, Washington, D.C. 20231 on the date set forth below.	
<u>March 3, 1998</u>	By: <u>Ariel I. Collazo</u>
Date of Signature and Mail Deposit	

FEE TRANSMITTAL AND RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir/Madam:

Responsive to the Notice to File Missing Parts of Application dated October 3, 1997, Applicants' attorney submits herewith two executed Declaration, Petition and Power of Attorney forms, three executed Verified Statements Claiming Small Entity Status, and a check in the amount of **\$858.00** to cover the cost of the filing fee (\$793.00) and surcharge(\$65.00). A copy of Form PTO-1533 is also enclosed.

The filing fee has been calculated as shown below:

	Total Claims	# EXTRA	Rate	FEE	Rate (Small Entity)	FEE
BASIC FEE			\$790		\$395	395.00
TOTAL CLAIMS	45-20 = -	25*	x \$22		x \$11	275.00
INDEPENDENT	6 -3 =	3*	x \$82		x \$41	123.00
MULTIPLE DEPENDENT CLAIMS			\$270		\$135	
* NUMBER EXTRA MUST BE ZERO OR LARGER		TOTAL				\$793.00

04/04/2001 10:11:00 00000120 02915140  
02 000001  
02 000002  
02 000003

- [X] A check in the amount of \$858.00 to cover the filing fee (\$793.00) and surcharge (\$65.00) is enclosed.
- [X] Please charge any additional fees or credit any overpayments associated with this communication to our Deposit Account No. **06-1448**. A duplicate copy of this sheet is enclosed.

Patent Group  
FOLEY, HOAG & ELIOT LLP  
One Post Office Square  
Boston, MA 02109  
(617) 832-1000

Respectfully submitted,  
FOLEY, HOAG & ELIOT LLP



Matthew P. Vincent, Ph.D.  
Registration No. 36709  
Attorney for Applicants

Date: March 3, 1998



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

**PIPE**  
MAR 06 1999  
PATENT & TRADEMARK OFFICE

UNITED STATES OF AMERICA

Address: COMMISSIONER  
Washington, D.C. 20530

APPLICATION NUMBER	08/916,140
FILING/RECEIPT DATE	08/21/97
FIRST NAMED APPLICANT	SCOTT
ATTORNEY DOCKET NO./TITLE	SUV-003.04

NOT ASSIGNED

0292/1003

#4

FOLEY HOAG & ELIOT  
ONE POST OFFICE SQUARE  
BOSTON MA 02109

DUE: 12.3.97  
Final: 4.3.98

DATE MAILED:

10/03/97

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
Filing Date Granted

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted **ALONG WITH THE PAYMENT OF A SURCHARGE** for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

Items on this form are filed within the period set above, the total amount owed by applicant as a verified statement filed, is \$ 1,716.

37 CFR 1.136(a) verified small entity

Application Number and required items and fees identified below must be paid for a ☒ large entity ☐ small entity.

6 only of \$ 130 for a ☒ large entity ☐ small entity.

7 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF FILING to pay the required fees. Extensions of time may be obtained by filing a request with the USPTO.

any fees required above to avoid abandonment. Extensions of time may be obtained by filing a request with the USPTO.

fee under the provisions of 37 CFR 1.136(a).

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**

☒ large entity ☐ small entity (verified statement filed), is \$ 1,716.

complete the basic filing fee and/or file a verified small entity statement.

fees, are required:

- ☒ large entity ☐ small entity ( )
- ☒ The statutory basic filing fee is:
- ☒ missing.
- ☐ insufficient.
- ☐ must submit \$ \_\_\_\_\_

☒ missing.  
☐ insufficient.

Applicant must submit \$ 790

statement claiming such status (37 CFR 1.27).

submit claim fees of \$ 790

submit the additional clai

- ☒ 2. Additional claim: Applicant must either submit a copy of the claim or a copy of the claim as filed with the USPTO.
- ☐ 3. The oath or declaration: ☐ is missing.

- The oath or declaration:
- ☐ is missing.
  - ☐ does not cover the newly submitted items.
  - ☐ does not identify the application to which it applies.
  - ☐ does not include the city and state or foreign country of
  - ☐ does not include the compliance with 37 CFR 1.63, inc
- An oath or declaration in compliance with Filing Date is required.  
the above Application Number and Filing Date is/are:  
signature(s) to the oath or declaration is/are:  
person qualified u  
with

- ☒ 4. The signature(s) to the oath or declaration is/are:
- ☐ missing.
  - ☐ by a person other than inventor or person qualified under 37 CFR 1.63, identify the person in the Declaration listing the names of all inventors and signed by the omitted inventor and Filing Date, is required.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:
- Declaration listing the names of all inventors and signed by the omitted inventor and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the omitted inventory:
- An oath or declaration listing the names of all inventors and signed by the omitted inventor(s) must be submitted with the above Application Number and Filing Date, is required.
- ☐ 6. A \$\_\_\_\_\_ processing fee is required since your check was returned without payment.
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.  
See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- Please inform the USPTO about this notice to "Attention: Box Missing Parts."
- Do NOT be returned with the**

6. A \$ \_\_\_\_\_

☐ 7. Your filing receipt was mailed \_\_\_\_\_

☐ 8. The application does not comply with the Sequence Rules 37/38

See attached "Notice to Comply with Sequence Rules 37/38"

☐ 9. OTHER: \_\_\_\_\_

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the response.**

**A copy of this notice MUST be returned with the response.**

Donner Service Center  
Immigration Division (703) 308-1202

02  
COPY TO BE RETURNED WITH RESPONSE

\*U.S. GPO: 1998-404-496/4